

No: 271

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1988



ENROLLED

SENATE BILL NO. 271

(By Senator Sears)



PASSED February 24, 1988

In Effect from Passage



ENROLLED

Senate Bill No. 271

(BY SENATOR SPEARS)

[Passed February 24, 1988; in effect from passage.]

AN ACT to amend and reenact section four, article eighteen, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the board of directors of the housing development fund.

Be it enacted by the Legislature of West Virginia:

That section four, article eighteen, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 18. WEST VIRGINIA HOUSING DEVELOPMENT FUND.

§31-18-4. Composition; board of directors; appointment, term, etc., of private members; chairman and vice chairman; quorum.

1 (a) There is continued as a governmental instrumen-
2 tality of the state of West Virginia, a public body corporate
3 to be known as the West Virginia housing development
4 fund.

5 (b) The housing development fund is created and estab-
6 lished to serve a public corporate purpose and to act for the
7 public benefit and as a governmental instrumentality of the
8 state of West Virginia, to act on behalf of the state and its
9 people in improving and otherwise promoting their health,
10 welfare and prosperity.

11 (c) The housing development fund shall be governed by
12 a board of directors, consisting of eleven members, four of
13 whom shall be the governor, the attorney general, the com-
14 missioner of agriculture, and the state treasurer, or their
15 designated representatives as public directors, and seven of
16 whom shall be chosen from the general public residing in
17 the state, as private directors. No more than four of the
18 private directors shall be from the same political party.

19 (d) Upon organization of the housing development
20 fund, the governor shall appoint, by and with the advice and
21 consent of the Senate, the seven private directors to take
22 office and to exercise all powers thereof immediately, with
23 two each appointed for terms of two years and three years,
24 and with three each appointed for terms of four years,
25 respectively, as the governor shall designate; at the expir-
26 ation of said terms and for all succeeding terms, the gov-
27 ernor shall appoint a successor to the office of private
28 director for a term of four years in each case.

29 (e) In cases of any vacancy in the office of a private
30 director, such vacancy shall be filled by appointment by the
31 governor for the unexpired term.

32 (f) The governor may remove any private director whom
33 he may appoint in case of incompetency, neglect of duty,
34 gross immorality, or malfeasance in office; and he may
35 declare his office vacant and may appoint a person for such
36 vacancy as provided in other cases of vacancy.

37 (g) The chairman and vice chairman of the board of
38 directors shall be designated by the governor from among
39 the directors.

40 (h) Six members of the board of directors shall con-
41 stitute a quorum. No vacancy in the membership of the
42 board shall impair the right of a quorum to exercise all the
43 rights and perform all the duties of the board of directors.

44 (i) No action shall be taken by the board of directors
45 except upon the affirmative vote of at least six of the
46 directors.

47 (j) The directors, including the chairman, vice chairman
48 and the treasurer of the board of directors, and the secretary
49 of the board of directors, shall receive no compensation for
50 their services but shall be entitled to their reasonable and
51 necessary expenses actually incurred in discharging their
52 duties under this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Richard O. Jensen

Chairman Senate Committee

Bernard V. Kelly

Chairman House Committee

Originated in the Senate.

In effect from passage.

Joseph C. Smith

Clerk of the Senate

Donald Stepp

Clerk of the House of Delegates

Sam Testerman

President of the Senate

James M. [Signature]

Speaker House of Delegates

The within *Approved* this the *3rd*
day of *March*, 1988.

Arthur B. [Signature]

Governor

PRESENTED TO THE

GOVERNOR

Date 3/01/88

Time 3:05 p.m.

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OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK